

The Zoning Ordinance for the Town of Fountain Hills

Chapter 18

TOWN CENTER COMMERCIAL ZONING DISTRICT

Sections:

18.01	Purpose.
18.02	Intent.
18.03	Permitted Uses.
18.04	Uses Subject to Temporary Use Permits.
18.05	Uses Subject to Special Use Permits.
18.06	Prohibited Uses.
18.07	Additional Regulations.
18.08	Design Guidelines
18.09	General Provisions.
18.10	Signs.
18.11	Parking and Loading.
18.12	Outdoor Lighting.
18.13	Plan Review.
18.14	Density, Area, Building and Yard Regulations.

The Zoning Ordinance for the Town of Fountain Hills

Section 18.01 Purpose.

Town Center Commercial Zoning District. The principal purpose of this zoning district is to provide for a variety of pedestrian-oriented retail, office, lodging, residential and civic land uses in the Town Center area. The intent of the district is to encourage the development and sustainability of a vibrant mixed-use area where residents and visitors can live, work, shop, dine, be entertained, enjoy community and cultural events and contribute to the economic viability of the Town Center area and the Town as a whole.

Section 18.02 Intent.

The Town Center Commercial Zoning District designation should be applied to land that meets the following primary characteristics:

- A.** Such a designation is appropriate in the Town Center area of the Town where commercial, lodging, residential and civic activities are desirable for the benefit of the residents thereof and the Town in general.
- B.** Application of this district would be appropriate where its permitted uses and performance standards serve to widen the Town's economic base and further the development of the Town Center area as envisioned by the Council.
- C.** All new construction within the Town Center Zoning District shall conform to the General Provisions as specified in Chapter 5 and any other relevant regulations of this Zoning Ordinance unless noted in this Chapter, in which case the regulations in this Chapter shall prevail.

Section 18.03 Permitted Uses.

- A.** Any Uses Permitted in the C-O Zoning District.
- B.** Any of the Following Commercial Uses:
 - 1. Amusement arcades enclosed within a building.
 - 2. Bakeries.
 - 3. Banks.
 - 4. Bars – On premise consumption only. No adult entertainment.
 - 5. Barbershops.
 - 6. Bookstores, other than adult bookstores.
 - 7. Blueprint, photostatic and reproduction (copy) services.
 - 8. Catering establishments not utilizing any manufacturing process or outside storage of materials or vehicles.
 - 9. Child care centers.
 - 10. Conservatories or studios: Visual arts, dancing or music. Includes the creation, display and sale.
 - 11. Dry-cleaners.
 - 12. Dry-goods and notions.
 - 13. Florists (retail).

The Zoning Ordinance for the Town of Fountain Hills

14. Food Stores.
15. Furniture stores: New, used, finished or unfinished; No manufacturing.
16. Health spas and public gyms.
17. Hotels and Motels.
18. Gift Shops.
19. Insurance agencies.
20. Laboratories, medical or dental.
21. Metal and ornamental iron shops. Any production/storage areas shall be enclosed within a building.
22. Outdoor seating areas for restaurants, delicatessens, cafes or bars with or without alcoholic beverage service, subject to the regulations of this Chapter.
23. Parking lots and public garages, subject to parking standards in Chapter 7.
24. Pharmacies.
25. Photo shops.
26. Photo studios.
27. Printing, lithography and publishing establishments.
28. Private schools for academic instruction.
29. Private schools for vocational education.
30. Radio and television broadcasting stations and studios, but not including transmitter towers and stations.
31. Restaurants, delicatessens and cafes (including the sale of alcoholic beverages – On premise consumption only).
32. Retail stores.
33. Theaters, but not including a drive-in theater or adult oriented facilities as defined under Chapter 1, Section 1.12 of this Ordinance.
34. Variety stores.
35. Wearing apparel stores.
36. Accessory buildings and uses customarily incidental to the above.

C. The following public and quasi-public uses

1. Open space malls and pedestrian corridors.
2. Churches
3. Libraries, museums, parks, playgrounds, and community buildings.
4. Publicly or privately owned or operated fire stations, and publicly owned or operated police stations and post offices
5. Utility Services, but not including offices, waste water treatment plants, generating plants, and wireless communication towers and antennas, unless otherwise specifically permitted elsewhere in the ordinance.
6. Accessory buildings and uses customarily incidental to the above.

Because no list of uses can be complete, the Community Development Director will render decisions on additional uses with appeal to the Town Council.

The Zoning Ordinance for the Town of Fountain Hills

Section 18.04 Uses Subject to Temporary Use Permits.

- A. Pushcarts

Section 18.05 Uses Subject to Special Use Permits.

- A. Liquor stores.
- B. Group Homes for Handicapped and Elderly People, Nursing Homes, Homes for the Aged, Convalescent Homes, and Assisted Care Facilities.
- C. Multi-family residential dwellings. Residential developments shall conform to "M-3" Zoning District regulations unless those regulations differ from the regulations contained in this Chapter, in which case the regulations of this Chapter shall control.
- D. Operation of commercial or professional activities between eleven p.m. and seven a.m.
- E. Time Share Resorts.
- F. Shared Parking Agreements.
- G. Drive-in window facilities for banks and dry cleaners only.

Section 18.06 Prohibited Uses:

- A. Amusement parks, arcades, drive-in or outdoor theaters, miniature golf courses, and golf driving ranges.
- B. Automobile laundries, car washes or automobile detailing businesses.
- C. Automobile repair shops and garages.
- D. Automotive fuel dispensing stations or gasoline sales.
- E. Cemeteries, pet cemeteries, or mausoleums.
- F. Drive-in restaurants and refreshment stands.
- G. Drive-in window facilities.
- H. Appliance sales, repair and service.
- I. Golf Courses as a primary use, including clubhouses located thereon, including miniature courses or practice driving ranges operated for commercial purposes.
- J. Hardware stores.
- K. Kennels, indoor or outdoor.
- L. Laundries, self-serve or coin operated.
- M. Mortuaries.
- N. Outside storage of any kind.
- O. Plumbing shops.
- P. Pool halls or billiard centers.
- Q. Public schools.
- R. Sports arenas.
- S. Trade schools.
- T. Upholstery shops.
- U. Veterinary hospitals and clinics for animals.

The Zoning Ordinance for the Town of Fountain Hills

Section 18.07 Additional Regulations.

- A.** Any outdoor lighting shall be in conformance with the provisions in Chapter 8. All outside lighting shall not exceed twenty (20) feet in height and shall be fully shielded and directed away from residential or time-share uses in the vicinity of the site.
- B.** Any recorded or live music or sound that is electronically amplified shall only be permitted at establishments with outdoor patios and shall not be audible at a distance of more than 100 feet from the business premises from which it originates.
 - 1. If a business expands, it shall, in addition to the parking spaces in existence prior to such expansion, be required to provide only the number of additional parking spaces necessitated by the expansion.
 - 2. All building permits for new construction shall include completion of all right-of-way improvements required for that type of development by the subdivision ordinance.
 - 3. Prior to the approval of any sign permit, a comprehensive sign plan for the Town Center Area shall be submitted and approved by the Town Council. All signage shall conform to that Plan.
 - 4. Site plans shall be designed in such manner that they minimize the vehicular traffic impact on local residential streets. Extraordinary pedestrian circulation routes shall be developed internally and externally to provide pedestrian access to adjacent commercial, residential and institutional uses.
- G.** Buildings and their appurtenances shall be oriented to limit conflicts with surrounding residential uses due to noise, light, litter, or dust.
- H.** When a non-residential use abuts a residential or time-share use, a thirty (30) foot landscaped buffer shall be provided on the residential or time-share site for the full distance where the two properties abut. Dedicated pedestrian walkways or malls that are at least thirty (30) feet wide may serve as this buffer.
- I.** Mechanical equipment must be located or screened to limit sound transfer to nearby residential or time-share property.
- J.** Noise producing mechanical equipment must be located at least twenty (20) feet from any common property line with a residential or time-share use.
- K.** Fences and/or extraordinary landscaping shall be developed and maintained along the property lines of residential or time-share uses to prevent the intrusion of unwanted light, dust or blowing debris.
- L.** Any fences or walls abutting any dedicated open area mall or pedestrian access parcel shall be limited to 3.5 feet in height. Except within required front or street side-yard setbacks, wrought iron vertical extensions may be placed on top of these low walls to a maximum height of five (5) feet.

The Zoning Ordinance for the Town of Fountain Hills

- M.** Prior to the issuance of any building permit, a Master Landscaping and Lighting Plan shall be submitted and administratively approved by the Town for the Town Center Area. Prior to the issuance of any building permit, a landscape and lighting plan, prepared and stamped by an Arizona-registered landscape architect, shall be submitted and approved as a part of the building permit application. Individual landscape and lighting plans shall be in conformance with the Master Landscape and Lighting Plan.
- N.** Prior to the issuance of any building permit, a Master Design and Architectural Plan (MDAP) shall be submitted and approved by the Town Council for the Town Center Area. The MDAP shall consist of language, exhibits and colored typical elevations that will set forth the required architectural style or styles, colors and exterior materials available for use within the Zoning District. Prior to the issuance of any building permit, such plans shall be in conformance with the MDAP.
- O.** Openings in buildings and activity centers on sites shall be located to minimize interference with abutting residential or time-share uses.
- P.** Drainage from buildings and parking lot areas shall be detained on-site and/or shall be directed only into a drainage system approved by the Town Engineer.
- Q.** Loading and delivery entrances shall be located away from the interface with abutting residential or time share uses and abutting open space malls or dedicated pedestrian access parcels.
- R.** All business activity (except required on-site parking, loading and unloading areas) shall be within a completely enclosed building, unless otherwise specifically noted herein.
- S.** All mechanical equipment must be screened from public view and view of adjoining properties.

Section 18.08 Design Guidelines

Statement of Purpose. The purpose of the Design Guidelines for Town Center Commercial Zoning District are to establish regulations and restrictions regarding aesthetics relative to architecture and details, comprehensive sign plan and landscape & lighting. The following guidelines represent minimum standards adopted by the Town Council to promote compatible development within the Town Center Commercial Zoning District (TCCD) zoned property. Development in the TCCZD shall comply with the regulation of Chapter 17 of The Zoning Ordinance for the Town of Fountain Hills or these design guidelines which ever is more restrictive.

A. Master Architectural Design Guidelines

1. Produce an orderly and aesthetically pleasing development that is compatible with the urban desert setting of the Fountain Hills downtown commercial core.
2. All building plans must be sealed by an Arizona registered architect with an accompanying site plan sealed by an Arizona registered engineer or land surveyor.

The Zoning Ordinance for the Town of Fountain Hills

3. Architectural style is to be Southwest Contemporary utilizing raised parapets and/or sloping roofs with concrete tile as appropriate. All elevations are to be of front elevation quality with the exception of common walls. Common walls, which will not have an adjacent building under construction within six (6) months, shall be required to be stuccoed and painted in a similar manner as to the front elevation. Roof forms must be continuous and wrap around corners/building planes. Roof lines shall be articulated.
4. Elevations shall use any combination of the following: masonry, natural stone, stucco, rusted or painted steel and exposed wooden beams and columns. Buildings may utilize sills, leaders, beltcourses and similar ornamental features to visually articulate elevations. Elevations shall utilize more than one material in the face of the elevations excluding windows. Windows shall not utilize reflective glass on any elevation. The Community Development Director may administratively approve alternative materials with appeal to the Town Council. Wood siding and unfinished masonry, with the exception of split face block, is prohibited.
5. All rooftop equipment shall be screened from view from any street, public right-of way, or surrounding property and shall be architecturally integrated into the building design. All trash enclosures, utilities or other ground mounted equipment shall be screened from the general public by a six (6) foot high stuccoed and painted masonry wall. Trash enclosures shall be gated with fully screened gates painted to match adjacent walls. Wall mounted utilities shall be enclosed in a cabinet painted to match the exterior wall color in that location.
6. Outdoor storage is prohibited. All storage shall be located within the building or contained within a fully enclosed structure architecturally integrated into the building. Wooden and chain-link fences are prohibited.
7. Color schemes shall be selected from the Color Palette located on page __. The Community Development Director may administratively approve alternative color schemes with appeal to the Town of Fountain Hills Town Council.

B. Comprehensive Sign Plan

The purpose of these sign regulations is intended to encourage attractive signs for businesses and services located within the TCCZD while promoting the general welfare of the community by creating more aesthetically appearing street frontages through the use of controlled signs.

Definitions of signs are as stated in Chapter 6, Section 6.02 of The Zoning Ordinance for the Town of Fountain Hills. Sign area shall be measured per Chapter 6, Section 6.03 of The Zoning Ordinance for the Town of Fountain Hills. Signs for the TCCZD shall meet the following criteria:

The Zoning Ordinance for the Town of Fountain Hills

1. Individual Business signs
 - a. Sign area is based on a one to one ratio. The total aggregate area of one (1) face of all signs on the premises pertaining to any one business shall not exceed the square footage equal to the linear feet of the store/lot frontage. However the total aggregate area of all such signs for one business shall not exceed one hundred (100) square feet and the maximum size of any one sign shall not exceed fifty (50) square feet. For corner lots/buildings only the main entrance shall be so measured. Window signs shall be limited to two (2) square feet maximum.
 - b. Signs shall be individual letters/symbols attached to the face of the building. Cabinet signs are prohibited.
 - c. Signs may be illuminated by a focused, hooded light source or through reverse pan channel letters with a hidden light source.
2. Complex Signs
 - a. A directory sign(s) may be utilized for unified developments and shall not exceed six (6) square feet per sign. Directory sign(s) are not included in the calculation for individual businesses. For a complex under unified control, one monument sign may be permitted, parcels of one (1) acre or larger located on a corner may be permitted two (2) monument signs with one sign per street frontage, neither of which may be located closer than fifty (50) from the intersection. Such signs containing only the name of the complex shall not be included in the calculation for individual businesses.
 - b. Monument signs shall be individual letters/symbols attached to the face of the monument. Monument signs shall utilize similar materials as used in the construction of the building complex. Internally illuminated signs are prohibited. Signs may be illuminated by a focused, hooded light source or through reverse pan channel letters with a hidden light source.
 - c. Directory and monument signs may contain up to 2 square feet of sign area per business, however such area shall be subtracted from the sign area allowed for individual businesses. In no case shall such a sign be taller than five (5) feet located behind the required building setback or taller than forty-two (42) inches located within the required setback. Such signs shall not exceed twenty-four (24) square feet in area.
 - d. Banners, pennants and other displays are allowed only as stated in Chapter 6, Section 6.08.C of The Zoning Ordinance for the Town of Fountain Hills.
3. Color Palette. Individual letters shall utilize materials that are or are made to appear as naturally occurring materials. Colors are to be earth tones compatible with the color palette found on page _ of these guidelines. The Community Development Director may administratively approve alternative color schemes with appeal to the Town of Fountain Hills Town Council.

The Zoning Ordinance for the Town of Fountain Hills

C. Master Landscape and Lighting Plan.

The purpose of these design guidelines is to define the landscape character of the Fountain Hills mixed-use properties referred to as Town Center Commercial Zoning District. The landscape guidelines in conjunction with other sections assist in establishing the theme and identity for these Downtown properties.

The primary objective of these guidelines for the Town Center area is to create an attractive natural, desert setting for the community. The plant palette consists of a select list of low-water use trees, shrubs, ground covers and accents that perform well in this region.

The design guidelines address both residential and commercial uses. The requirements are unique to each use to appropriately deal with differing scale and intensity of use within each category. Additionally, special attention is required for those parcels that abut public streets (regardless of use). In general, the landscape character should appear naturalistic with an informal and organic layout that mimics the randomness of the natural desert.

The Community Development Director may administratively approve alternative plant materials, light sources and /or hardscape materials with appeal to the Town of Fountain Hills Town Council.

1. Minimum Plant Requirements. The minimum quantity and size of landscaping materials required is based on the actual square footage of the landscape area. The landscape area is determined by measuring all areas that are not being utilized for turf, parking, buildings and/or hardscape elements. Minimum plant requirements shall be determined by the following tables:

- a. Residential Development Projects.

Plant Type	Min. Size	Min. Plants per S.F.
Trees	48" box	1:3,000 S.F.
	36" box	2:3,000 S.F.
	24" box	1:3,000 S.F.
Shrubs	5 gal.	1:200 S.F.
	1 gal.	1:100 S.F.
Ground Covers	1 gal.	1:50 S.F.
Accents	5 gal.	1:300 S.F.
Boulders	½ Ton	1:300 S.F.
Saguaro	10" (min.)	1:3000 S.F.
Ocotillo	8-spine (min.)	1:1500 S.F.

Note: These requirements apply to common landscape areas only and do not apply to private courtyards.

The Zoning Ordinance for the Town of Fountain Hills

b. Commercial Development Projects.

Plant Type	Min. Size	Min. Plants per S.F.
Trees	48" box	1:2,000 S.F.
	36" box	2:2,000 S.F.
	24" box	1:2,000 S.F.
Shrubs	5 gal.	1:100 S.F.
	1 gal.	1:100 S.F.
Ground Covers	1 gal.	1:50 S.F.
Accents	5 gal.	1:200 S.F.
Boulders	½ Ton	1:300 S.F.
Saguaro	10' (min.)	1:3000 S.F.
Ocotillo	8-spine (min.)	1:1500 S.F.

c. Design Concepts.

- (1) Trees shall be used to soften the architecture of the proposed buildings and provide shade for parking and pedestrian areas. The limited variety of acceptable trees is intended to create continuity and compatibility within the entire Town Center area.
- (2) Shrubs shall be used to create foundation planting adjacent to proposed buildings to provide an appropriate transition between the building and the ground plane. Shrubs should also be used to provide visual screening for parking areas and utility boxes.
- (3) Ground covers shall be used to provide continuity within the landscape and tie together the other landscape elements.
- (4) Accents shall be used to create interest within the development project. Accents should be situated in a natural setting that is integrated with other landscape elements.
- (5) Boulders shall be used to enhance the natural desert setting of the area.

d. Turf Grass. Turf may be used subject to the following criteria:

- (1) Turf may not exceed 50% of the total landscape area.
- (2) The minimum width of turf shall be 5-feet.
- (3) The minimum turf area shall be 200 square feet.
- (4) Turf may not be located in public rights-of-way per Arizona Department of Water Resources guidelines.
- (5) All turf areas shall be watered with an automatic underground irrigation system.

The Zoning Ordinance for the Town of Fountain Hills

- (6) Turf shall be integrated within the other landscape and hardscape elements.
- (7) Turf shall be setback a minimum of one-foot from sidewalks and parking areas to avoid over-spray.
- (8) Common Bermuda grass is prohibited, however, Bermuda hybrids are acceptable.

e. **Additional Requirements.**

- (1) **Parking Lots.** Parking lots adjacent to other developments or streets shall be screened by a minimum three-foot high wall and/or mounding. Landscaped berms and site walls or the combination thereof shall not to exceed 42 inches in height. Parking lot landscape islands should be a minimum of 8-feet wide (inside dimension) and contain one tree from the Approved Plant List below.
- (2) **Trees.** Trees must conform to the minimum container size required above or the minimum plant size identified on the plant list, whichever is greater. Trees must be setback from sidewalks and driveways a minimum of five-feet.
- (3) **Decomposed Granite.** All non-turf landscape areas shall be covered with a minimum of four-inches of 1" screened Aztec Brown decomposed granite.
- (4) **Boulders.** Boulders shall be surface select granite boulders placed in naturalistic groupings. Boulders shall be buried approximately 1/3 below finished grade of the landscape area.
- (5) **Site Grading.** Mounding and site grading is encouraged to create a unique appearance. Maximum slope of mounding is not to exceed 3:1 and must be naturalistic in appearance.
- (6) **Headers and Borders.** Extruded concrete or masonry unit borders between turf and desert landscape areas are required. Use of integrally colored concrete or mortar is encouraged.
- (7) **Irrigation.** All landscaping is to be watered with an underground, automatic irrigation system. Irrigation equipment is to be located in inconspicuous locations or screened by walls or plants.

f. **Streetscape Considerations.** The "streetscape" area is that area between proposed buildings and/or parking lots and the adjacent street. These areas are the most visible to the public and are subject to these additional requirements:

The Zoning Ordinance for the Town of Fountain Hills

- (1) Accent Trees. Accent trees are intended to highlight and acknowledge the intersections of streets and/or driveways with streets. The accent tree required is the Desert Ironwood Tree (*Olneya tesota*). Minimum size required is 54" box. The Ironwood Tree should be planted in a cluster (minimum three trees) on each side of the intersection. Trees may not interfere with any sight visibility easements or triangles per applicable Town codes.
- (2) Streetscape Trees. Streetscape trees are intended to provide continuity along the adjacent street. The required streetscape trees are the Palo Verde Tree (*Cercidium* species) and the Mesquite Tree (*Prosopis* species). Minimum size required is 48" box. The trees shall be planted at approximately 40-feet on center and no closer than 25-feet on center. The trees shall be setback a minimum of eight-feet (8') from the sidewalk or street.
- (3) The trees required for streetscape embellishment may be used to satisfy a portion the overall tree requirement for the project.

g. Prohibited Materials. The following materials are prohibited from use within the Town Center development:

- (1) River Run Rock, except for drainage swales, (appropriately colored crushed granite rip-rap) is acceptable.
- (2) Steel, scalloped concrete or wooden headers or borders.
- (3) Colored rock or decomposed granite other than that specified within this document.

2. Approved Plant List. The purpose of the Approved Plant List is to establish continuity and consistency within the Town Center development area.

Trees

Common Name	Min. Size 24" Box	Min. Size 36" Box	Min. Size 48" Box	Min. Size 54" Box
Ironwood Tree*	6x3' (1.25")	8x6' (2.0")	12x10' (3.0")	14x12' (3.5")
Native Palo Verde Sp.*	7x4" (1.0")	10x8' (2.0")	14x11' (3.0")	--
Sonoran Palo Verde*	7x4' (1.0")	10x8' (2.0")	12x12' (3.0")	--
Chilean Mesquite*	8x5' (1.0")	10x9' (2.0")	14x13' (3.0")	--
Sissoo Tree	10x4' (1.25")	15x10' (3.0")	Not Available	--
Sweet Acacia*	8x5' (1.0")	10x9' (2.0")	14x12' (3.0")	--
Shoestring Acacia	9x4' (1.5")	13x6' (2.5")	17x8' (4.0")	--
Texas Mountain Laurel	4x2' (1.0")	6x4' (2.0")	8x6' (3.0")	--
Texas Ebony*	6x4' (1.0")	8x6' (2.0")	11x8' (3.0")	--

Note: "Required Trees" (as determined by the previous tables) must meet the minimum sizes stated above. Key: Height x Width (Caliper Inches) as established by Arizona Nursery Association Grower's Committee.

* Indicates multiple trunk tree.

The Zoning Ordinance for the Town of Fountain Hills

Shrubs (1 and 5 Gallon)

Bird of Paradise varieties
Chihuahuan Sage varieties
Mexican Honeysuckle varieties
Salvia varieties
Texas Sage varieties
Creosote
Arizona Yellow Bells
Bougainvillea
Cordia varieties
Ruellia varieties
Jojoba
Brittlebush

Ground Covers (1 Gallon)

Lantana varieties
Desert Marigold
Dalea varieties
Bursage
Bush Morning Glory
Turpentine Bush
Fairy Duster
Desert Broom Centennial
Verbena varieties
Euphorbia varieties
Mex. Evening Primrose

Accents (5 Gallon)

Red Yucca
Yucca
Agave
Desert Spoon
Saguaro
Ocotillo
Barrel Cactus
Desert Milkweed
Prickly Pear Cactus
Penstemon
Aloe varieties

3. Lighting
 - a. Exterior illumination of landscape and buildings shall be by ground mounted fixtures which shall be an indirect, focused and hooded and shall be arranged so that the source of light is not visible from any street or adjoining property.
 - b. Illumination of pedestrian walkways is to be by any combination of the following: lighted bollard, recessed light fixtures or wall mounted fixtures. Freestanding light standards are discouraged in non-parking lot areas. Light standards located within parking areas shall be a maximum of twenty (20) feet in height above grade.
4. Hardscape. Hardscape areas, sidewalks, plazas, parkways, street crossings, etc, are encouraged to utilize integral color which are compatible with the proposed development. The use exposed aggregate as an accent within sidewalks and plazas is encouraged. Additional hardscape areas may be administratively approved by the Community Development Director with appeal to the Town Council.
(Manual, Amended, 03/03/2000; Manual, Added, 03/03/2000)

Section 18.09 General Provisions.

The General Provisions in Chapter 5 shall apply, except where provided for in this Chapter.

Section 18.10 Signs.

The regulations in Chapter 6 shall apply, except where provided for in this Chapter.

Section 18.11 Parking and Loading.

The parking and loading regulations in Chapter 7 shall apply, except where provided for in this Chapter.

The Zoning Ordinance for the Town of Fountain Hills

Section 18.12 Outdoor Lighting.

The provisions of Chapter 8 shall apply, except where provided for in this Chapter.

Section 18.13 Plan Review.

The provisions of Chapter 2, Section 2.04 shall apply.

Section 18.14 Density, Area, Building and Yard Regulations:

The chart which follows specifies the minimum lot sizes, minimum lot widths, maximum building heights, minimum yard setbacks and maximum lot coverage percentages, and the minimum distance between buildings.

The Zoning Ordinance for the Town of Fountain Hills

FOUNTAIN HILLS ZONING ORDINANCE SUMMARY

TOWN CENTER COMMERCIAL DISTRICT

DISTRICT	AREA (SQ.FEET)	WIDTH (FEET)	BLDG HEIGHT (FEET)	MINIMUM YARD SETBACKS				LOT COVERAGE	DISTANCE BETWEEN BLDGS (FEET)
				FRONT	SIDE	STREET SIDE	REAR		
TCCD	6,000	60	30e	20 ad	0 bd	20 ad	20 cd	60%	UBC

- a. When adjacent to a residential or timeshare use, regardless of whether separated by a street or alley, there shall be a minimum front yard setback equal to the minimum front yard setback required in the adjoining residential zoning district or a minimum front yard setback equal to the building height, whichever is greater (not to exceed 25 feet). When abutting a dedicated open-area mall or a thirty (30) foot wide (minimum) dedicated pedestrian access parcel, buildings or low-walled outdoor seating areas shall abut the property line. When commercial retail/office properties have frontage on the avenue of the fountains and/or on the saguaro boulevard right (s)-of-way, buildings shall be constructed five (5) feet from the property line if no five-foot wide landscape/canopy parcel has been platted.
- b. When adjacent to a residential or timeshare use there shall be a minimum ten (10) foot side yard setback or a minimum side yard setback equal to the building height, whichever is greater. If a side yard is otherwise provided, the minimum setback is 5 feet. When abutting a dedicated open-area mall or a thirty (30) foot wide (minimum) dedicated pedestrian access parcel, buildings or low-walled outdoor seating areas shall abut the property line.
- c. When adjacent to a residential or timeshare use, regardless of whether separated by a street or alley, there shall be a minimum rear yard setback equal to the minimum rear yard setback required in the adjoining residential zoning district, whichever is greater (not to exceed 25 feet). When abutting a dedicated open-area mall or a thirty (30) foot wide (minimum) dedicated pedestrian access parcel, buildings or low-walled outdoor seating areas shall abut the property line. When commercial retail/office properties have frontage on the avenue of the fountains and/or on the saguaro boulevard right (s)-of-way, buildings shall be constructed five (5) feet from the property line if no five-foot wide landscape/canopy parcel has been platted.
- d. The town council may allow or require a building or buildings on abutting lots to observe a zero (0) – foot setback if that building or buildings are, in the opinion of the council, large and/or have unarticulated elevations.
- e. The town council may allow a building height of up to forty (40) feet for commercial movie theaters or for architectural features that improve the elevation of a building.